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8 IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
9 CALIFORNIA

10
11 THE UNITED STAES OF AMERICA
12 V.
13 EUSEBIO CRUZ

14 Case Number: 2:24-cr-00306 DAD-1
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**WAIVER OF DEFENDANT'S PERSONAL
PRESENCE (FRCP 43)**

26 Pursuant to Rule 43 of the Federal Rules of Criminal Procedure, defendant, Eusebio Cruz
27 hereby waives the right to be present in person in open court upon the hearing of any motion or
28 proceeding in this case, including, but not limited to, when the case is set for trial, when a
29 continuance is ordered, and when any other action is taken by the Court before or after trial,
30 except upon arraignment, plea, empanelment of jury and imposition of sentence. Defendant
31 hereby requests the Court to proceed during every absence which the Court may permit pursuant
32 to this waiver, agrees that the defendant's interests will be deemed represented at all times the
33 presence of defendant's attorney the same as if defendant were personally present, and further

1 agrees to be present in court ready for trial any day and hour the Court may fix in the defendant's
2 absence.

3 Defendant further acknowledges being informed of his rights under 18 USC 3161-3174
4 (Speedy Trial Act), and authorizes the defendant's attorney to set times and delays under that Act
5 without defendant's personal presence.

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10 Dated: 1/6/2025

/s/ Eusebio Cruz
Eusebio Cruz, Defendant

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12 I agree with and consent to my client's waiver of appearance.

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14 Dated: 1/6/2025

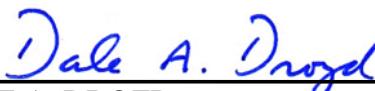
/s/ Olaf W. Hedberg
Olaf W. Hedberg
Attorney for Defendant

16 **ORDER**

17 The Court will accept defendant Cruz's waiver of personal appearance for most, but not
18 all, pretrial court appearances in this case. Specifically, the undersigned does not allow
19 defendants to waive their appearance at trial confirmation.

21 IT IS SO ORDERED.

22 Dated: January 7, 2025


DALE A. DROZD
UNITED STATES DISTRICT JUDGE

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